



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,525	06/28/2001	John D. Barnard	2908.P3	4923

5514 7590 01/05/2007
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

TANG, KAREN C

ART UNIT	PAPER NUMBER
----------	--------------

2151

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/892,525

Applicant(s)

BARNARD ET AL.

Examiner

Karen C. Tang

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 14-39, 42-67, 70-95, 98-113, 115, 117 and 119 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 14-39, 42-67, 70-95, 98-113, 115, 117 and 119 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/25/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/20/06 has been entered.
- Claims 1-11, 14-39, 42-67, 70-95, 98-113, 115, 117, and 119 are presented for further examination.

Response to Arguments

Applicant's arguments with respect to claims 1-11, 14-39, 42-67, 70-95, 98-113, 115, 117, and 119 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argued that the amended portion of the claim indicates that "an administrator can enter policy rules, such as rules regulating which workstation can access the queue, and a queue subsequently created will be based on those rules" would be in condition for allowance. However, on Applicant Submitted Prior Art (In the Background Invention) it clearly indicates "The administrator must not only install new printing devices on the network, they must also "create" and manage the print queues associated with the printing devices" further, it also indicates "when creating a print queue for a printing device, a administrator generally "must" manually enter information such as address assigned to the print device, the particular type of

Art Unit: 2151

printing device, and the configuration or capabilities of the printing device” (policy rules).

Therefore, the amended portion will not be subject to allowance.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-11, 14-39, 42-67, 70-95, 98-113, 115, 117, and 119 are recites:

The limitation "Line 5", where “the detected printing device”,

“Line 6”, where “the print queue”,

“Line 8”, where “received information”,

“Line 5”, where “the requested information”, in Claim 29, have no insufficient antecedent basis for these limitations in the claim.

It is unclear where “the printing device” on Lines 9, in Claim 29 is referring to, for the examine purpose, “the printing device” on Line 9 is refer to “the detected printing device” on Line 5.

It is unclear where “the received information” on Line 8, in Claim 29, is referring to, for the examine purpose, it is interprets as the same as “requesting information” on requesting information on Line 5.

It is unclear where “the print queue” on Line 9, in Claim 29, is referring to, for the examining purpose, it is interprets as the same as “a print queue” on Line 7.

It is unclear which “printing device” on Line 2, in Claim 30, is referring to, for the examining purpose, it is interpreted as the same as “a printing device” on Line 5, in Claim 29.

It is unclear which “printing device” on Line 3, in Claim 32, is referring to, for the examining purpose, it is interpreted as the same as “a printing device” on Line 5, in Claim 29.

It is unclear which “printing device” on Line 2, and on Line 3, in Claim 33, is referring to, for the examining purpose, it is interpreted as the same as “a printing device” on Line 5, in Claim 29.

It is unclear which “printing device” on Line 2, in Claim 36, is referring to, for the examining purpose, it is interpreted as the same as “a printing device” on Line 5, in Claim 29.

It is unclear which “the information” on Line 2, in Claim 37, is referring to, for the examining purpose, it is interpreted as the same as “requesting information” on Line 5, in Claim 29. It is unclear which “the detected printing device” is referring to, in Claim 37, for the examining purpose, it is interpreted as the same as “a printing device” on Line 5, in Claim 29.

“Line 2”, where “the detected printing device”, in Claim 37, has no insufficient antecedent basis for this limitation in the claim.

“Line 2”, where “the print queue”, in Claim 115, has no insufficient antecedent basis for this limitation in the claim.

“Line 3”, where “the detected printing device”, “Line 2”, where “the received information” in Claim 38, have no insufficient antecedent basis for this limitation in the claim.

“Line 3”, where “the detected printing device”, “Line 2”, where “the received information” in Claim 39, has no insufficient antecedent basis for this limitation in the claim.

“Line 2”, where “the step”, “Line 3”, where “the received information” in Claim 42, have no insufficient antecedent basis for this limitation in the claim.

“Line 3” and “Line 4”, where “the print queue”, “Line 3”, where “the received information” in Claim 43, have no insufficient antecedent basis for this limitation in the claim.

It is unclear which “the print queue” on Line 3 and 4, in Claim 43, is referring to, for the examining purpose, it is interpreted as the same as “the print queue” on Line 7, in Claim 29.

“Line 2”, where “the step”, “Line 3”, where “the print queue entries” in Claim 44, have no insufficient antecedent basis for this limitation in the claim.

It is unclear which “the print queue” on Line 4, in Claim 45, is referring to, for the examining purpose, it is interpreted as the same as “the print queue” on Line 7, in Claim 29.

“Line 2”, where “the step”, “Line 4”, where “the print queue” in Claim 45, have no insufficient antecedent basis for this limitation in the claim.

“Line 3” and “Line 2”, the print queue” in Claim 46, have no insufficient antecedent basis for this limitation in the claim.

It is unclear which “a new IP address” on Line 6, is the same as “a new IP address” on Line 3 in Claim 47, or is it different. For examining purpose, it is interpreted as the same as “a new IP address” on Line 3, in Claim 47.

It is unclear “the printing device” on Line 6, is the same as “one of the plurality of printing devices” on Line 3, in Claim 47, for examining purpose, it is interpreted as the same as “one of the plurality of printing devices” on Line 3, in Claim 47.

Art Unit: 2151

It is unclear “the print queue” is referring to (the print queue in step (d) of the Claim 29, or the print queue in step (e) of the Claim 29), on Line 6, Claim 47, for the examining purpose, “the print queue” is referring as the “print queue” in step (e) of the Claim 29.

It is unclear which “the new IP address” is referring to, on Line 5, in Claim 47, for the examining purpose, it is the same as the “a new IP address” as on Line 3, Claim 47

It is unclear which “the print queue entry” is referring to, on Line 8, and Line 9, Claim 47, for examining purpose, it is interpreted as “the print queue entry” in Claim 42.

It is unclear “a print queue” is referring to (the print queue in step (d) of the Claim 29, or the print queue in step (e) of the Claim 29) or a new print queue?, on Line 3, Claim 48, for the examining purpose, “a print queue” is referring as the “print queue” in step (e) of the Claim 29.

It is unclear which “the print queue entry” is referring to on Line 6, in Claim 48, for examining purpose, it is interpreted as “the print queue entry” in Claim 42.

It is unclear “the print queue” is referring to (the print queue in step (d) of the Claim 29, or the print queue in step (e) of the Claim 29) or a new print queue?, on Line 7, Claim 48, for the examining purpose, “the print queue” is referring as the “print queue” in step (e) of the Claim 29.

It is unclear “the print queue” is referring to (the print queue in step (d) of the Claim 29, or the print queue in step (e) of the Claim 29) or a new print queue?, on Line 2, Claim 50, for the examining purpose, “the print queue” is referring as the “print queue” in step (e) of the Claim 29.

It is unclear “the printing device” is referring to (“the detected printing device” in Line 5, Claim 29, or “the printing device” of Line 6, Claim 29) in Line 2, Claim 51, for the examining purpose, “the printing device” is referring as the “the printing device” in Lines 6, Claim 29.

Art Unit: 2151

It is unclear "a print queue" is referring to (the print queue in step (d) of the Claim 29, or the print queue in step (e) of the Claim 29) or a new print queue?, on Line 2, Claim 51, for the examining purpose, "a print queue" is referring as the "print queue" in step (e) of the Claim 29.

"Line 2", where "the step in Claim 52, has no insufficient antecedent basis for this limitation in the claim.

Independent Claims 1, 57, and 85 has a similar problem as Claim 29,

It is unclear whether or not Claims 42-50, 52-56, are directed to a device or a method claimed. Also please see Claims 86-107, 110, and 119.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-8, 10-11, 14, 19-23, 28-36, 38-39, 42, 47-51, 56-64, 66-67, 70, 75-79, 84-87, 94- 95, 98, 103-107 and 112, 113, 115, 117, and 119 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al (EP 952513. White", hereinafter) and Richter et al. (US 6.678.068 "Richter." hereinafter) and in further view of Applicant Submitted Prior Art et al hereinafter AAPA (Background of the Invention).

Art Unit: 2151

2. Regarding claims 1, 28-29, 56-57, 84-85, 112, 113, 115, 117, and 119, White discloses a method, system and computer programs record in computer readable mediums (a "system" hereinafter), for managing a plurality of printing devices connected on a network, comprising means, steps and instructions for: detecting a printing device connected on the network; requesting information from the detected printing device; receiving the requested information from the printing device; creating a print queue for the printing device based on the received information; accessing user-configurable parameters for the print queue (abstract, Fig. 1; 13, indicates that users-configurable parameters in fact is prior art to White; 18). White is silent on publishing print queue to network. However, publishing print queue, i.e., displaying, announcing, notifying presenting advertising, print queue or status of printer, print's queues or print's spool to a client device in a network, was conventional, which had readily been employed long before the instant invention was made. White teaches accessing policy rules for the print queues (users are able to config proper parameters (accessing policy rules)), and publishing the printer queue to the network according to said policy rules (so that the printer can be utilized for the network due to the configuration)). White also discloses the policy rules (conf proper parameters, 0002) regulates use of the print queue by client workstations connected to the network (the configuration parameters allows the printer to be used on the network). The configuration parameters are entered by the user (administrators).

Evidently, in the same field of endeavor, Richter, clearly teaches the same (see Richter, figures 24-30, and corresponding details Col. 13, line 25 et seq.) Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate a publishing-

Art Unit: 2151

print-queue idea or the like with White, autonomous configurable print queue system. Because, such combination or modification would enable users to obtain status or printers or prints' queue, and/or locations, availability of printing device from server without having to physically walk to specific printing locations), thereby increasing user convenience and reducing time unnecessary time consuming, which in turn would improve efficiency of the operation-unit.

White nor Richter does not expressly indicate entering policy rules that govern how print queues are created and published, wherein the policy rules are entered by a system administrator.

AAPA expressly indicate that entering policy rules that govern how print queues are created and published, wherein the policy rules are entered by a system administrator (refer to 0006-0009).

In the same endeavor, White, Richter and AAPA clearly teach the same field. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate a system administrator which is the one that changes the policy rules, which provide flexibility to manage queues in the printing system.

3. Regarding claims 2-8, 10-11, 19-23, 30-36, 38-39, 47-51, 58-64, 66-67, 75-79, 86, 87, 94- 95, and 103-107, White-Richter discloses the system further includes, detecting an address assignment message sent between an address server and the printing device over the network (White-Richter's system also employs DHCP standard, White teaches printer driver, i.e., type and capability of printer included, is transmitted to printing system, White's 13, 18).

Art Unit: 2151

4. Claims 9, 37, 65 and 93 are rejected under 35 U.S.C. 103(a) as being unpatentable over White-Richter as applied to claims 1, 29, 57, 85 above and in further view of Applicant Submitted Prior Art et al hereinafter AAPA (Background of the Invention) and Clough (US 6,820,124).

5. Regarding claims 9, 37, 65 and 93, White-Richter-AAPA discloses the invention substantially, as claimed, as described, but it is silent on communication by using SNMP. However, SNMP are standard for communicating message with a network, specifically it has been utilized in particular for communicating message between printer and its host, the aforesaid is evidently taught in Clough. Thus, including a standard that is set forth for specific purpose for functioning the same would have been obvious to one of ordinary skilled in the art. Because, adopting SNMP for communication messages, as suggested in Clough, would be a simplistic process of desiring system and enhancing system's flexibility, in which ordinary artisan would look for, before reinvent a new way of communication.

6. Claims 14-18, 24-27, 42-46, 52-55, 70-74, 80-83, 88-92, 98-102 and 108-111 are rejected under 35 U.S.C. 103(a) as being unpatentable over White-Richter, as applied to claims 1, 29, 57 and 85 above and in further view of Applicant Submitted Prior Art et al hereinafter AAPA (Background of the Invention) and Lee (US 6,628,413).

7. Regarding claims 14-18, 24-27, 52-55, 42-46, 70-74, 80-83, 88-92, 98-102, and 108-111, White discloses the invention substantially, including configuring IP addresses, print queue name, print server and its capabilities (White's teaching printer acquire IP address using DHCP

Art Unit: 2151

15; Richter teaches GUI, publishing IP address (266) in figure 24, printer or queue name (124) in figure 25, capabilities (166) in figure 24). White-Richter-AAPA is silent on including MAC address and printing policy with a configurable parameter. However, MAC address is inherent in network computing device, thus to include the MAC address as a configuration parameter would have been obvious to one having ordinary skill in the art at the time of the invention was made that was a matter of choice, since White-Richter clearly is capable of configuring printing device using IP address as configurable parameter, thus, using other type of address, such as MAC address, would be conceivable to an artisan. In addition, in the same field of endeavor, Lee teaches an inventive concept that uses JAVA programming to create print queue(s) web page(s), which contains a plurality of links representing each of the print queue(s) entries in the print queue(s) configurable database. Further, Lee also teaches that the JAVA printer is widely utilized for publishing printer queue(s) on a web page to enable clients to control printer. Furthermore, Lee teaches publishing rules and allowing user or administrator to change rules for controlling printer tasks, maximum job size, what type or image and to whom the print cost should be allocated, i.e., printing policy (Lee, Fig. 3). Thus associated printer queue with web page is not new, but rather would have been obvious to one of ordinary skill in the art at the time of the invention was made to do so, because it would enable users or administrators to remotely configure or reconfigure or control printers' operation in various applications, including cost control, as suggested in Lee (Col. 4, line 22- Col. 5, line 55 and Fig. 3).

Conclusion

A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen Tang


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER